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Atty. Dkt. No. 016782-0351

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Willy MARRECAU
Title: METAL FIBER COMPRISING MORE THAN ONE
METAL OR METAL ALLOY
Appl. No.: 10/573,037
International Filing Date: 9/7/2004
371(c) Date: 4/24/2006
Examiner: Altrev C. Sykes
Art Unit: 1794
Confirmation Number: 4400

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 20, 2009, Applicant hereby elects Group II, Claims 18-31 for prosecution in the subject application with traverse.

Applicants submit that the special technical feature of Groups I and II, as identified by the Office, includes at least a metal fiber having a cross section of at least a first metal or metal alloy M1 and a second metal or metal alloy M2 made by coiling a foil and cutting. The Office argues in the Office Action that U.S. Patent No. 6,063,332 to Imamura *et al.* (hereafter "Imamura") demonstrates that this special technical feature is known in the art.

Imamura discloses a metal fiber made of a stainless steel, such as an Fe-Cr-Al-REM stainless steel. See Imamura at col. 1, lines 48-55; col. 2, lines 15-24. Imamura further discloses that the stainless steel can be a Fe-Cr-Al-La, Fe-Cr-Al-Y, or Fe-Cr-Al-Ce stainless steel. See abstract of Imamura.

However, the Office has not shown that Imamura demonstrates the special technical feature of Groups I and II. In particular, the Office has only shown that Imamura demonstrates a metal fiber made of a single alloy, i.e., a stainless steel, not a metal fiber made of first metal or metal alloy M1 and a second metal or metal alloy M2, as recited in claims 1 and 18.

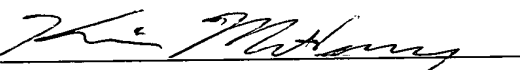
For at least the reasons discussed above, the Office has not demonstrated that the special technical feature of Groups I and II do not define a contribution over the prior art and that unity of invention is lacking between Groups I and II. Reconsideration and withdrawal of the lack of unity objection is respectfully requested.

Applicants, of course, reserve the right to file a divisional application covering the non-elected subject matter. Receipt of an Office Action on the merits is awaited. If the Examiner has any questions, the Examiner may contact the undersigned at the telephone number listed below.

Respectfully submitted,

MAR 20 2009

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